

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

JAMES DEAN FOUNTAIN,

Plaintiff,

v.

CLINCH COUNTY, GEORGIA, *et al*,

Defendant.

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CASE NO.: 7:21-CV-120 (WLS)

ORDER

Previously, the Court entered an Order (Doc. 11) granting-in-part and denying-in-part Defendant's Motion to Dismiss (Doc. 5). Thereafter, the Court ordered the Parties to submit their proposed scheduling/discovery order by November 11, 2022, but Parties have not done so. (Doc. 12). Subsequently, Defendants, Raymond Peterson and James Smith, in their official capacity, appealed the Order to the Eleventh Circuit. (Doc. 13).

Accordingly, the Court finds good cause to continue the initial discovery conference, which will be set in a later Order. *See Patterson v. United States Postal Serv.*, 901 F.2d 927, 929 (11th Cir. 1990) ("[M]atters pertaining to discovery are committed to the sound discretion of the district court."); *Chrysler Int'l Corp. v. Chemaly*, 280 F.3d 1358, 1360 (11th Cir. 2002) (finding that district courts have broad discretion over the management of pre-trial activities, including discovery and scheduling).

Therefore, the initial discovery conference set for November 29, 2022, has been **CANCELLED**. Furthermore, Parties are hereby **ORDERED** to brief the Court as to

whether discovery should be stayed entirely or whether there is discovery that may or should proceed, no later than **twenty-one (21) days** after entry of this Order or by **Tuesday, December 20, 2022**.

SO ORDERED, this 29th day of November, 2022.

/s/ W. Louis Sands

W. LOUIS SANDS, SR. JUDGE
UNITED STATES DISTRICT COURT